

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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POONITA BEEMSIGNE,

Plaintiff,

-against-

THE NEW YORK CITY DEPARTMENT OF
EDUCATION,

**NOTICE OF MOTION TO
DISMISS THE COMPLAINT**

15 Civ. 4742 (RRM) (SMG)

Defendant.
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PLEASE TAKE NOTICE that upon the annexed Declaration of Sean R. Renaghan, dated May 26, 2016, together with the annexed exhibits, as well as the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss the Complaint, dated May 26, 2016, and upon all the papers and proceedings previously had herein, Defendant New York City Department of Education ("DOE" or "Defendant"), will move this Court at the United States Courthouse for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, 11201, before the Honorable Roslynn R. Mauskopf, United States District Judge, at a time and date to be designated by the Court, for a judgment, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, dismissing the Complaint against the Defendant on the grounds that the Complaint fails to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that pursuant to the May 16, 2016 order of the Court, opposing papers shall be served on or before July 1, 2016, and reply papers shall be served on or before July 15, 2016.

Date: New York, New York
May 26, 2016

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City of New York
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By: /s/
Sean R. Renaghan
Assistant Corporation Counsel

TO: Matthew Ian Marks (by first class mail and e-mail)
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New York, New York 10007

Of Counsel: Sean R. Renaghan

Telephone: (212) 356-2452

Matter No.: 2015-047274

Due and timely service is hereby admitted.

Dated: New York, New York.....2016

Signed:

Attorney for.....